

**TRANSCRIPT PURCHASE ORDER****For Third Circuit Court of Appeals**District Court Western District of PennsylvaniaCourt of Appeals Docket No. 05-4896District Court Docket No. 03-cv-00175EShort Case Title Zemenco, Inc. v. Developers Diversified Realty CorporationDate Notice of Appeal Filed by Clerk of District Court 11/1/05; Amended 11/4/05**Part 1.** (To be completed by party responsible for ordering transcript)

NOTE: A SEPRATE FORM IS TO BE TYPED FOR EACH COURT REPORTER IN THIS CASE.

**A.** Complete one of the following and serve ALL COPIES:

## TRANSCRIPT:

- ☐ None ☐ Unnecessary for appeal purposes.
- ☐ Already on file in the District Court Clerk's office.
- ☒ This is to order a transcript of the proceedings heard on the date listed below from Ronald Bench (Court Reporter)

(Specify on lines below exact date of proceedings to be transcribed). If requesting only partial transcript of the proceedings, specify exactly what portion or what witness testimony is desired.

(1) Status Conference held on 12/15/04 (#16); (2) Hearing on Motions held on 5/6/05 (#37);

(3) Status Conference held on 6/2/05 (#40); (4) Transcript of Proceedings held on 7/29/05 (#50).

If proceeding to be transcribed was a trial, also check any appropriate box below for special requests; otherwise, this material will NOT be included in the trial transcripts.

- ☐ Voir dire; ☐ Opening statemen of plaintiff ☐ defendant
- ☐ Closing argument of plaintiff ☐ defendant
- ☐ Jury instructions ☐ Sentencing Hearings

FAILURE TO SPECIFY IN ADEQUATE DETAIL THOSE PROCEEDINGS TO BE TRANSCRIBED, OR FAILURE TO MAKE PROMPT SATISFACTORY FINANCIAL ARRANGEMENTS FOR TRANSCRIPT, ARE GROUNDS FOR DISMISSAL OF THE APPEAL OR IMPOSITION OF SANCTIONS.

**B.** This is to certify that satisfactory financial arrangements have been completed with the court reporter for payment of the cost of the transcript. The method of payment will be:

- ☐ Criminal Justice Act (Attach copy of CJA form 24)
- ☐ Motion for transcript has been submitted to District Court Judge
- ☒ Private Funds

Signature

Date

November 10, 2005Print Name Joseph A. Katarincic (Thorp Reed & Armstrong, LLP)

Counsel for

Zemenco, Inc.

Address

One Oxford Centre, 301 Grant St., 14th Floor, Pgh, PA 15219

Telephone

(412) 394-2388**Part II.** COURT REPORTER ACKNOWLEDGEMENT (To be completed by the Court Reporter and forwarded to the Court of Appeals on the same day transcript order is received.)

Date transcript order received	Estimated completion date; if not within 30 days of date financial arrangements made, motion for extension to be made to Court of Appeals	Estimated number of pages

- ☐ Arrangements for payment were made on \_\_\_\_\_
- ☐ Arrangements for payment have not been made pursuant to FRAP 10(b)

Date

(Name of Court Reporter)

Telephone

**Part III.** NOTIFICATION THAT TRANSCRIPT HAS BEEN FILED IN THE DISTRICT COURT (To be completed by court reporter on date of filing transcript in District Court and notification must be forwarded to Court of Appeals on the same date.)

This is to certify that the transcript has been completed and filed with the District Court today.

Actual Number of Pages \_\_\_\_\_

Actual Number of Volumes \_\_\_\_\_

Date

Signature of Court Reporter